

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Chad Rink on November 4 2010.

The application has been amended as follows:

In claim 10 line 5, **delete** "at pH 8 to 12" and **insert** with "adjusted to a pH of 8 to 12 with an alkaline pH adjusting agent,". Therefore lines 5-6 of claim 10 should read "(A)/(B1) molar ratio of 1/5 to 10/1 in water adjusted to a pH of 8 to 12 with an alkaline pH adjusting agent, and then adjusting the reaction system to pH 1 to 5;".

In claim 13 line 4, **delete** "at pH 8 to 12" and **insert** with "adjusted to a pH of 8 to 12 with an alkaline pH adjusting agent,". Therefore lines 4-5 of claim 13 should read "(A)/(B1) molar ratio of 1/5 to 10/1 in water adjusted to a pH of 8 to 12 with an alkaline pH adjusting agent, and then adjusting the reaction system to pH 1 to 5;".

In claim 14 line 4, **delete** "at pH 8 to 12" and **insert** with "adjusted to a pH of 8 to 12 with an alkaline pH adjusting agent,". Therefore lines 4-5 of claim 14 should read "(A)/(B1) molar ratio of 1/5 to 10/1 in water adjusted to a pH of 8 to 12 with an alkaline pH adjusting agent, and then adjusting the reaction system to pH 1 to 5;".

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowances: The declaration under 37 CFR 1.132 filed August 30 2010 is sufficient to overcome the rejection of claims 10, 12-14, 16-18, 22-24 based upon Tamura et al. in view of Kobayashi et al. The declaration shows that the product produced by the process claimed is materially different than the product produced by Tamura et al. The declaration, specifically Table A, shows that utilizing an alkaline pH adjusting agent to adjust the pH to a pH of 8 to 12 before the addition of an acidic pH adjusting agent produces a materially different product as the product of the instant application is capable of sterilizing to a substantially greater degree than that of Tamura et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Claims 10, 12-14, 16-18 and 22-27 are allowable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ABIGAIL FISHER whose telephone number is (571)270-3502. The examiner can normally be reached on M-Th 9am-6pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann Richter can be reached on 571-272-0646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Abigail Fisher
Examiner
Art Unit 1616

AF

/Johann R. Richter/

Supervisory Patent Examiner, Art Unit 1616